

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PORTLAND COMMUNITY COLLEGE,

No. 3:21-cv-01658-AR

Plaintiff,

ORDER

v.

UNITED STATES DEPARTMENT OF  
VETERANS AFFAIRS and DENIS  
MCDONOUGH, in his capacity as Secretary  
of the U.S. Department of Veterans Affairs,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Jeffrey Armistead issued a Findings and Recommendation on January 24, 2023, in which he recommends that the Court deny Defendants' Motion to Dismiss for Lack of Jurisdiction and Failure to State a Claim. F&R, ECF 38. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

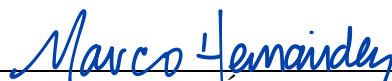
Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988)(*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

### CONCLUSION

The Court adopts Magistrate Judge Armistead's Findings and Recommendation, ECF 38. Accordingly, Defendants' Motion to Dismiss for Lack of Jurisdiction and Failure to State a Claim is DENIED.

IT IS SO ORDERED.

DATED: February 24, 2023

  
\_\_\_\_\_  
MARCO A. HERNÁNDEZ  
United States District Judge